

**3905. Adulteration of butter. U. S. v. 27 Cubes of Butter. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 7974. Sample No. 95485-E.)**

On July 3, 1942, the United States attorney for the Northern District of California filed a libel against 27 cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce on or about June 20, 1942, by the Reedsport Creamery of Reedsport, Oreg., from Marshfield, Oreg.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On July 10, 1942, Wilsey Bennett Co., San Francisco, Calif., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

**3906. Adulteration of butter. U. S. v. 10 Tubs, 7 Tubs, and 15 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. Nos. 7918 and 8001. Sample Nos. 89662-E, 16987-F, 16988-F.)**

On June 30 and July 17, 1942, the United States attorney for the Southern District of New York filed a libel against 32 tubs, each containing 64 pounds of butter, at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 24 and July 13, 1942, by the Farmville Creamery Co., Inc., from Farmville, Va.; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Butter Distributed By J. R. Kramer, Inc. \* \* \* New York, N. Y."

On July 15 and 29, 1942, the Farmville Creamery Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reworking under the supervision of the Food and Drug Administration so that it contain not less than 80 percent of milk fat.

**3907. Adulteration of butter. U. S. v. North American Creameries, Inc., and Phillip J. Noonan. Pleas of guilty. Corporation fined \$300. Phillip J. Noonan fined \$50. (F. D. C. No. 6475. Sample No. 56985-E.)**

On May 26, 1942, the United States attorney for the District of Minnesota filed an information against North American Creameries, Inc., and Phillip J. Noonan, alleging shipment on or about October 6, 1941, from the State of Minnesota into the State of New Jersey of a quantity of butter that was adulterated in that a valuable constituent, namely, milk fat, had been in part omitted therefrom, and in that a product which contained less than 80 percent by weight of milk fat had been substituted in part for butter. The article was labeled in part: "Butter Gr. A & P Tea Co. N. Y. Distributors."

On June 9, 1942, pleas of guilty having been entered on behalf of the defendants, the court imposed a fine of \$300 against the corporation and \$50 against Phillip J. Noonan.

#### CHEESE

**3908. Adulteration of cheese. U. S. v. 84 Boxes of Cheese. Default decree of condemnation and destruction. (F. D. C. No. 7003. Sample No. 76506-E.)**

This product contained rodent hairs.

On March 6, 1942, the United States attorney for the Western District of Wisconsin filed a libel against 84 boxes of cheese at Thorpe, Wis., alleging that the article had been shipped in interstate commerce on or about February 19, 1942, by Parkin Bros. from Pine Island, Minn.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 17, 1942, the sole intervenor having withdrawn its claim, judgment of condemnation was entered and the product was ordered destroyed.

**3909. Adulteration of cheese. U. S. v. 52 Cheeses. Default decree of condemnation and destruction. (F. D. C. No. 7794. Sample No. 95131-E.)**

This product had been stored under insanitary conditions after shipment and when examined was found to contain larvae, beetles, cheese mites, and rodent pellets, and to be extensively damaged by rodent chewing.

On June 24, 1942, the United States attorney for the District of Nevada filed a libel against 52 cheeses at Reno, Nev., alleging that the article had been shipped in interstate commerce within the period from on or about April 2, 1941, to on

or about May 7, 1942, from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and putrid substance. It was alleged to be adulterated further in that it had been held under insanitary conditions whereby it might have become contaminated with filth, i. e., the article had been stored in the basement of the Colombo Cafe, at Reno, Nev., on a shelf that was covered with rodent pellets and many pellets were found on the cheese and partially embedded therein.

On July 6, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3910. Adulteration of cheese. U. S. v. 8 Cheeses. Default decree of condemnation and destruction.** (F. D. C. No. 7803. Sample No. 95132-E.)

This product contained rodent-type hairs and cheese mites.

On June 25, 1942, the United States attorney for the District of Nevada filed a libel against 8 cheeses at Reno, Nev., alleging that the article had been shipped in interstate commerce on or about June 1, 1942, by A. Giurlani & Bro. from San Francisco, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy and putrid substance, and in that it had been prepared, packed, or held under insanitary conditions whereby it might have become contaminated with filth. The libel alleged that it had been manufactured at the plant of the Sonoma Mission Creamery, Sonoma, Calif., an insanitary plant where the cheese had been exposed to contamination by rodents and cheese mites. Some of the cheeses were labeled in part: "Whole Milk Monterey Cheese Factory No. 681."

On July 6, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**3911. Adulteration of Cheddar cheese. U. S. v. 35 Boxes of Cheddar Cheese (and 2 additional seizure actions against Cheddar cheese). Default decrees of condemnation and destruction.** (F. D. C. Nos. 7651, 8308, 8633. Sample Nos. 24449-F, 7565-F, 80519-E.)

Rodent hairs, insect fragments, and other extraneous matter were found in samples taken from shipments of these cheeses.

On June 16, September 2, and October 22, 1942, the United States attorneys for the Southern District of Ohio, District of Maryland, and Eastern District of Wisconsin filed libels against 35 boxes of cheese at Cincinnati, Ohio, 20 boxes of cheese at Cumberland, Md., and 159 boxes of cheese at Green Bay, Wis., alleging that the article had been shipped in interstate commerce within the period from on or about May 26 to on or about September 15, 1942, by the Kraft Cheese Co., from Laurenceburg, Ky., Springfield, Mo., and Moorefield, W. Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On August 12, December 14, and December 22, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**3912. Adulteration of Cheddar cheese. U. S. v. 48 Boxes and 22 Boxes of Cheddar Cheese. Default decree ordering product destroyed or used for animal food.** (F. D. C. No. 5748. Sample Nos. 65335-E, 65336-E.)

Examination showed that this product contained insect fragments and nondescript dirt.

On September 15, 1941, the United States attorney for the District of Utah filed a libel against 70 boxes of Cheddar cheese at Salt Lake City, Utah, alleging that the product had been shipped in interstate commerce on or about August 21 and 28, 1941, by Brooklawn Creamery Co. from Mountain View, Wyo.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On July 16, 1942, no claimant having appeared, judgment was entered ordering that the product be destroyed or used as animal food.

**3913. Adulteration of Cheddar cheese. U. S. v. 24 Hoops of Cheddar Cheese. Consent decree of condemnation. Product ordered destroyed.** (F. D. C. No. 7872. Sample No. 65281-E.)

This product contained rodent hair and excreta, insect fragments, plant fibers, metallic particles, and nondescript dirt.